

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

Public Servants – Allegation of Corruption against Sri Chittepu Eswaraiah, Mandal Surveyor, Annasamudrampet Mandal, Nellore District – Trapped on 31.10.2009 – Sanction of Prosecution – Orders – Issued.

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**REVENUE (VIG.IV.2) DEPARTMENT**

**G.O.Ms.No. 90**

**Dated:01 .02.2011.**

**ORDER:**

Whereas, Sri Chittepu Eswaraiah, Mandal Surveyor, Annasamudrampet Mandal, Nellore District worked from 09.02.1996 to 31.10.2009 and by virtue of post held by him, he falls under the category of "Public Servant" as defined Under Clause (c) of Section 2 of the Prevention of Corruption Act, 1988;

2. And whereas, Sri Challa Srinu, S/o. Polraju, age 43 years, Labour Contractor, R/o Door No.1-11-2/A, Bhavani Colony, Rajendranagar, Hyderabad, N/o Oguru Village, Kandukur Mandal, Prakasam District is the complainant;

3. And whereas, on 27.10.2009 at 18-00 hrs, Sri Challa Srinu came to the O/o. Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore and gave a complaint, stating that he is native of Oguru Village, Kandukur Mandal, Prakasam District and he is doing labour contract works since 25 years. In the year 2007, Sri Challa Srinu and his friend Sri Muchu Malyadri and three others purchased 130 acres of land at Gudipadu Village, Annasamudrampet Mandal, Nellore District from Smt. Kondapi Varalakshamma, Smt. Kondapi Nagalakshmi Brammeswari, Smt. Piduri Visalakshamma under the sale agreements in the names of Sri Challa Srinu's wife Smt. Challa Rathnamma and Smt. Ganipisetty Padmavathi. But they could not get the lands registered in his wife name as the boundaries were not demarcated. In this regard in the month of February, 2008, Sri Challa Srinu and others submitted an application to the Tahsildhar, A.S. Peta Mandal along with fee challans for surveying and demarcating the boundaries of the land. The then Surveyor Sri Panchalaiah was transferred and Sri Chittepu Eswaraiah, Mandal Surveyor had come as successor. Sri Chella Srinu and others have been approaching Sri Chittepu Eswaraiah several times for the past one year for survey and demarcating the boundaries of the said land. Sri Chittepu Eswaraiah without any reason had been postponing the said work. On 25.10.2009, Sunday, Sri Challa Srinu and Sri Malyadri met Sri Chittepu Eswaraiah at his residence situated at Atmakur and requested him to complete their survey work as it is pending since long time. On that Sri Chittepu Eswaraiah demanded to pay Rs.30,000/- as bribe to complete the survey work. Sri Challa Srinu and his friend returned, saying that they would come to him after consulting with other partners about the bribe amount. Later on 26.10.2009, they went to Sri Chittepu Eswaraiah room and found that Sri Chittepu Eswaraiah was not available in his office. Sri Malyadri contacted Sri Chittepu Eswaraiah from his cell phone on the pending work, but Sri Chittepu Eswaraiah replied that the amount of Rs.30,000/- has to be paid otherwise there was no need for them to contact him. Again on 27.10.2009 Sri Challa Srinu and Malyadri contacted Sri Chittepu Eswaraiah over phone, who reiterated his earlier demand of Rs.30,000/- as bribe to begin the survey work. As there was no other-go, they have agreed for the demand and told him that they will meet him after securing the amount. Since, Sri Challa Srinu was unwilling to pay the

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demanded bribe amount, he came to the office of the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore and lodged written report against Sri Chittepu Eswaraiah and requested necessary action against him.

4. And whereas, the Inspector of Police, Nellore Range, Nellore verified the antecedents of the complaint and the Accused. On 31.10.2009 the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore Range registered a case in Cr.No.21/RCT-NLR/2009 under section 7 of the Prevention of Corruption Act, 1988 of Anti-Corruption Bureau, Nellore Range, Nellore and took up the investigation. The Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore Range, Nellore conducted pre-trap proceedings on 31.10.2009 from 04-30 hours to 06-00 hours in the presence of two mediators, the other Inspectors, staff, Sri Challa Srinu and the accompanying witnesses. All the required formalities in the matter were complied with.

5. And whereas, on 31.10.2009, Deputy Superintendent of Police, Anti-Corruption Bureau along with Sri Challa Srinu, Sri Muchu Malyadri and with all other trap party left the office at 06-10 hours in vehicles and reached J.R.Pet, Atmakur at 07-15 hours. The Deputy Superintendent of Police got stopped both vehicles at the entrance of the J.R. Pet, and instructed Sri Challa Srinu and Sri Muchu Malyadri to get down the vehicle and reiterated the earlier instructions. Accordingly, Sri Challa Srinu and Sri Muchu Malyadri proceeded to the house of Sri Chittepu Eswaraiah. The Deputy Superintendent of Police and mediators along with trap party took vantage position within the vicinity of the residential house of Sri Chittepu Eswaraiah. After Sri Challa Srinu and Sri Muchu Malyadri left the trap party, they approached the house of Sri Chittepu Eswaraiah and called him. Then Sri Chittepu Eswaraiah came out side and after seeing them, Sri Chittepu Eswaraiah offered seats in the verandah. Then Sri Challa Srinu requested, him to take up their pending survey work today itself. Sri Chittepu Eswaraiah asked them whether they brought the demanded bribe amount of Rs.30,000/-. Sri Challa Srinu replied positively. Then Sri Chittepu Eswaraiah went inside the house and brought one envelope cover, gave the same to Sri Challa Srinu and asked him to put the bribe amount in the said cover. Accordingly, Sri Challa Srinu took the cover from Sri Chittepu Eswaraiah and put the tainted currency notes bunch in it and handed over to Sri Chittepu Eswaraiah. Sri Chittepu Eswaraiah took the same with his left hand and kept on the cot underneath the bed. Sri Chittepu Eswaraiah asked them to come after having breakfast and he would also be ready and come with them to the field to survey their lands. Then, Sri Challa Srinu and Sri Muchu Malyadri left the house, Sri Chittepu Eswaraiah also followed them up to the gate of the house. At about 07-30 hours Sri Challa Srinu and Sri Muchu Malyadri came out of the house and gave the pre-arranged trap signal, by wiping his face with right hand. Immediately, the trap party members rushed to the house of Sri Chittepu Eswaraiah. The Deputy Superintendent of Police, Anti-Corruption Bureau asked Sri Challa Srinu and Sri Muchu Malyadri to stay near main road until they were called in. Then as per the instructions of the Deputy Superintendent of Police, PC prepared Sodium Carbonate Solution in two glass tumblers and asked Sri Chittepu Eswaraiah to rinse his both hand fingers separately into the said solution. On doing so, the solution in which left hand fingers of Sri Chittepu Eswaraiah rinsed turned to light pink colour, while there was no change colour of solution in which the right hand fingers were rinsed by Sri Chittepu Eswaraiah. Then the Deputy Superintendent of Police questioned Sri Chittepu Eswaraiah about the presence of phenolphthalein traces on the left hand fingers. On that Sri Chittepu Eswaraiah kept quite without giving any reply. Then the Deputy Superintendent of Police asked Sri Chittepu Eswaraiah about the bribe amount,

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Sri Chittepu Eswaraiah stated that he did not take any bribe amount from Sri Challa Srinu and Sri Muchu Malyadri. Then the Deputy Superintendent of Police got searched Sri Chittepu Eswaraiah in person and also the verandah where Sri Chittepu Eswaraiah discussed with Sri Challa Srinu. The trap party found one envelope cover underneath the bed i.e. in between cot and mattress. As per the instructions one of the mediators picked up the cover and found the wad of tainted currency notes of Rs.30,000/- and compared the serial numbers of the currency notes with those number mentioned earlier in mediators report-1 and they found tallied. Then Deputy Superintendent of Police got prepared Sodium Carbonate solution in a glass tumbler and on his instructions, HC brushed the inner surface of the envelop cover with a cotton swab in which the tainted amount was kept and recovered was subjected to test with the above solution. On doing so the solution turned into pink colour, and the tainted amount of Rs.30,000/- were seized by Deputy Superintendent of Police for further investigation. The cover containing the letters "To Ramanth Srikanth 2-78 old" in which the tainted amount was found kept and recovered. The Deputy Superintendent of Police seized the relevant records for the purpose of further investigation. The above proceedings were reduced into writing in the form of mediators report No.2 in detail;

6. And whereas, the aforesaid acts of Sri Chittepu Eswaraiah, Mandal Surveyor, Annasamudrampet Mandal, Nellore District constitute offences punishable under section 7, and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988. (Act of 49 of 1988);

7. And whereas, the Government of Andhra Pradesh being the authority competent to remove the said Sri Chittepu Eswaraiah, Mandal Surveyor, Annasamudrampet Mandal, Nellore District from Government service after fully and carefully examining the materials viz., copy of FIR, copies of Statements of witnesses, copies of documents and mediator reports, final report and other material placed before them, in regard to the said allegations and having regard to the facts and circumstances of the case, consider that the said Sri Chittepu Eswaraiah, Mandal Surveyor, Annasamudrampet Mandal, Nellore District should be prosecuted in a court of law for the said offences;

8. Now, therefore, in exercise of the powers conferred under clause (b) of sub-section (1) of Section 19 of the Prevention of Corruption Act, 1988, (Act of 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri Chittepu Eswaraiah, Mandal Surveyor, Annasamudrampet Mandal, Nellore District for the offences punishable under section 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act of 49 of 1988) and for any other cognate offences punishable under the provisions of any other law for the time being in force in respect of the afore said acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(ANIL CHANDRA PUNETHA)  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Director General, Anti-Corruption Bureau, Hyderabad.  
The file.

//Forwarded By Order//

Section Officer